

Exhibit A

to May 22, 2020 Letter from Ali Sadr



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 19, 2020

BY EMAIL

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Re: *United States v. Ali Sadr Hashemi Nejad*, 18 Cr. 224 (AJN)

Dear Counsel:

The Government writes to make further disclosures in response to the requests filed in connection with the defendant's motion for a new trial. (Dkt. 336). In making these disclosures, the Government does not concede that any of the materials are discoverable pursuant to Rule 16 or otherwise should have been disclosed pursuant to *Brady* or *Giglio*.

First, attached to this letter are handwritten notes from interviews with Victor Aular dated March 11, 2016 and April 6, 2016, and an FBI 302 report of the April 6, 2016 interview. As you know, on April 3, 2020, the Government provided you with FBI 302 reports of the February 19, 2016 and March 11, 2016 interviews with Aular. The Government recently realized that we had not produced the handwritten notes of the March 11 and April 6 interviews, or the FBI 302 report of the April 6 interview.

Second, attached is a 1057 FBI report that was previously classified, which memorializes statements made by the FBI and by Karimi after the interview on September 14, 2016. This report has been declassified.

Third, attached is a previously classified report of a May 4, 2005 interview of Pegah Sadr. This report has been declassified.

Fourth, attached is a previously classified report of a June 11, 2018 interview with Les Khan, the CEO of St. Kitts and Nevis's Citizenship by Investment program. This report has been declassified.

Fifth, attached is a previously classified report of an October 29, 2018 interview with Robert Seiden. This report has been declassified.

Sixth, several requests were made to the Seattle field office to locate Farshid Kazerani, to contact him, and to serve him with a grand jury subpoena. The five reports associated with these efforts to locate and serve Kazerani were previously classified, but have now been declassified.

Seventh, as you are aware, SDNY participated in an investigation into Commerzbank, which resulted in a 2015 Deferred Prosecution Agreement between Commerzbank, the U.S. Department of Justice, SDNY, DANY, OFAC, and the Federal Reserve. Documents SDNY obtained during the course of that investigation—approximately two million files and associated images—were housed in an electronic database (the “SDNY Commerzbank Database” or the “Database”). The prosecution team searched the SDNY Commerzbank Database with the following search terms: Sadr, Stratus, Clarity Trade, Straturk, Cirrus, PDVSA, IIHC, Iranian International Housing Company, Karimi, Zangeneh, Cetinel, EN Bank, Eghtesad Novin Bank, and Oriental Oil Kish. As a result of these searches, the Government produced 36 total emails (with attachments and duplicates) to you on April 21, 2020. (Dkt. 334-1 at 2).

The Government is in the process of producing to you a copy of the entirety of SDNY's Commerzbank Database in response to your requests for additional disclosures. (Def. Mem. at 115-16). We have recently learned, however, that it will take approximately one week to provide you with the Database copy. This delay is due to, among other things, the size of the Database, the program on which it is stored, and the fact that much of it has not been accessed since 2014 and can now only be accessed remotely due to COVID-19. In the interim, to the extent there are additional search terms you would like us to run through the SDNY Commerzbank Database, we are willing to do so, and will provide you with any responsive materials as soon as possible.

Respectfully submitted,
GEOFFREY S. BERMAN
United States Attorney

by: _____ /s/_____
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